

June 27, 2013

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

ROBERT E. AUFULDISH, PRESIDENT
JUDY MORAN, COMMISSIONER
DANIEL P. TROY, COMMISSIONER
AMY ELSZASZ, CLERK

JASON W. BOYD, ADMINISTRATOR
LEGAL COUNSEL
JOEL DIMARE, BUDGET DIRECTOR
NEWS MEDIA

(Tape 2013-00)

CALL TO ORDER: Commissioner Aufuldish called the meeting to order at 10:08 am, June 27, 2013.

ROLL CALL: Upon the roll being called all were present.

APPROVAL OF MINUTES: none

OPEN TO THE PUBLIC: Commissioner Aufuldish asked if anyone in the audience wished to address the Board. No one present addressed the Board.

RESOLUTIONS:

1. RESOLUTION TO ADVERTISE FOR BIDS FOR THE LAKE COUNTY PAVEMENT MARKINGS - 2013 PROJECT (BID OPENING: July 17, 2013) (20130627\E01) (E-2)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

2. RESOLUTION AMENDING THE EMPLOYEE POLICY & PROCEDURE HANDBOOK FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20130627\U01) (UT-3)

On a motion of Commissioner Moran, seconded by Commissioner Troy, discussion was opened: Utilities Director Rick Martin stated that every couple of years the department reviews the handbook and clarifies language that managers and employees recommend. Some are simply text changes, like rules and regulations, some are policies to incorporate any changes in the county policy.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

3. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$122,000 FOR KIRTLAND ROAD SANITARY SEWER EXTENSION JOB NO. 13-20, IN THE CITY OF KIRTLAND (2030627\U02) (UT-22)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

4. RESOLUTION AUTHORIZING EXECUTION OF CONTRACTS FOR VARIOUS WATER AND WASTEWATER CHEMICALS FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20130627\U03) (UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

5. RESOLUTION INCREASING APPROPRIATIONS FOR LCDU SEWER DISTRICT CONTRACT REPAIRS (20130627\U04) (UT-2)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

6. RESOLUTION CERTIFYING UNPAID SEWER AND WATER SUMS TO THE LAKE COUNTY AUDITOR (20130627\U05) (UT-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

7. RESOLUTION TO DELETE A SEWER SUM CERTIFIED TO THE LAKE COUNTY AUDITOR (20130627\U06) (UT-7)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

8. RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$31,024.40 FOR MELROSE FARMS SUBDIVISION NO. 2, JOB NO. 13-19, IN THE CITY OF WILLOUGHBY (20130627\U07) (UT-22)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

9. RESOLUTION AUTHORIZING EXECUTION OF A VENDOR AGREEMENT BETWEEN OHIO GUIDESTONE AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE A WORKS FIRST PROGRAM TO ELIGIBLE OHIO WORKS FIRST PARTICIPANTS, IN AN AMOUNT NOT TO EXCEED \$425,000.00, EFFECTIVE JULY 1, 2013 THROUGH JUNE 30, 2014 (20130627\JFS01) (JFS-2)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

10. RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN CGI FEDERAL, INC. AND THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES TO PROVIDE STAFFING SERVICES FOR LAKE1STOP IN AN AMOUNT NOT TO EXCEED \$264,158.05 EFFECTIVE JULY 1, 2013 THROUGH JUNE 30, 2014 (20130627\JFS02) (JFS-2)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

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11. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE BOARD OF LAKE COUNTY COMMISSIONERS AND THE BOARD OF GEAUGA COUNTY COMMISSIONERS FOR ACCESS TO THE LAKE COUNTY MOTOROLA MASTER SITE FOR THE STATE-WIDE PUBLIC SAFETY RADIO SYSTEM (20130627\CO1) (404V)

On a motion of Commissioner Moran, seconded by Commissioner Troy, discussion was opened:

Commissioner Aufuldish introduced Telecommunications Director Paul Stefanko to review the arrangements of the foregoing agreement. Mr. Stefanko advised that the agreement allows communication between Lake and Geauga counties and allows sharing of each other's radio systems. It benefits police, fire, and schools in Lake and Geauga counties. It allows backup capabilities between Lake County Central Dispatch and the Geauga County Sheriff's Office and most importantly, it requires that Geauga County will be responsible financially for expenses necessary by their presence on the system.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

12. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,504,504.97 (20130627\BC01) (C-4)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

13. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$717,076.11 (20130627\BC02) (C-17)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

14. RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS NON-GENERAL FUND ACCOUNTS (20130627\BC03) (C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

15. RESOLUTION TRANSFERRING CASH AND APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS (20130627\BC04) (C-111)

On a motion of Commissioner Moran, seconded by Commissioner Troy, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES-

Commissioner Troy inquired about recent rain events.

Director Rick Martin reported that six complaints were received but they resulted from lateral issues, not surcharging events from the volume of rain incurred. The trouble areas were holding up.

STORMWATER-none

JOB AND FAMILY SERVICES-

Commissioner Troy discussed the proposed changes in the Ohio Budget Bill which will revise the rollbacks in property tax and may require reconsideration of the Children Services Levy recently forwarded to the ballot as a replacement, for which property owners now would incur the additional 12 ½ % responsibility, and debated the option of altering the levy to a renewal at this time.

Director Matt Battiato said he would review the budget after the weekend and speak with Deputy County Auditor Mike Matas regarding how much it would cost the property owners.

Commissioner Troy discussed with Mr. Battiato that action to change the levy request is required by the first week of August to have it appear on the ballot.

COUNTY ADMINISTRATOR-none

DIRECTOR OF ADMINISTRATIVE SERVICES- none

FINANCE- none

CLERK- none

LEGAL- none

OLD BUSINESS

NEW BUSINESS

"Pursuant to the requirements of the grant, notice is hereby issued that the Lake County Sheriff's Office intends to apply for an Edward Byrne Memorial Justice Assistance Grant (FY 2013 Local Solicitation) in the amount of \$27,563.00 to purchase a 2014 Ford Interceptor Utility Police Vehicle. This vehicle will be fully marked and equipped for emergency service and will replace an older vehicle that is currently in use."

The statement is a requirement of the Byrne Memorial Justice Assistance Grant to have this notice placed on the record and submitted with the grant.

Commissioner Troy reported information provided by CCAO regarding the redaction of the repeal language of the 2006 law on the additional voting machines from the Budget Bill. Secretary State Husted believed it was a legislative issue. It appears to be a classic case of government with its head in the sand. We don't need 54 new voting machines in this county. This is still a live issue. CCAO and the Association of Elections Officials will continue to discuss this subject through the summer and into the fall. There is supposed to be a statewide authorized purge of the voter lists this year. There is a belief that the registered list of voters, 154,000 in Lake County, is not an accurate number. CCAO advised Commissioner Troy that Lake County would NOT need to buy the additional voting machines by the 2013 fall election, but CCAO said the requirement is just sometime in 2013. It's tough to see rational thinking take hold. We do not have \$200,000 more budgeted to purchase new machinery

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that really we have no reasonable need for in Lake County. The Lake County Elections Director indicated that the longest wait during the Presidential election was a half hour. Commissioner Aufuldish commented that it's likely no county allocated funds to purchase additional machines. He discussed the guidelines regarding the rules for removal from the voter list.

PUBLIC COMMENT:

John Muzik, Painesville Township asked for clarification of the additional responsibility for the levy and applauded the Commissioners in trying to save the county taxpayers money. Where does that 12½ % come from, the state or the sales tax?

Commissioner Troy reviewed the provision of the State implementing the state income tax in the 1970s which gave a 10% roll back for residential and commercial property. The commercial rollback was recently eliminated, but an additional 2 ½% rollback was granted for owner-occupied residential property. It should have been evaluated in full committee but has been adopted by conference committee and is an up and down vote in both houses. The changes to the revenue stream unbalances our budget. The local taxpayers will pay more in the future for levies, it's a shift in responsibility. But the driving force is so that there can be additional income tax cuts. It's the same thing the state has done with senior citizens regarding the Homestead Exemption.

Becky Lynch of Mentor commented that the tax reform dominos are falling and squeezing everybody. She questioned how the JFS levy could continue to collect the same money if taxes are being reformed rather than an adjusted amount reflecting the cuts by the state. Shouldn't that be adjusted apples to apples?

Commissioner Troy advised that the auditor will look at the levy and based on current tax valuation, the amount of money that property taxpayers would pay if the 12½ % rollback is eliminated. It doesn't mean JFS levy will get 12½ % less, it's that the taxpayers will be paying 100%. It would be 100% coming directly from local taxpayers. Commissioner Aufuldish stated that the Director of JFS has looked carefully at his budget and has decided not to ask for any more money to run his program.

Ms. Lynch said that the taxpayers are getting a 12 ½ % increase and suggested that Matt [Battiatto, ie. JFS] should take a 12 ½ % cut.

Commissioner Troy reiterated that discussion will take place to consider whether to submit a renewal levy to the voters.

Mr. Battiatto stated that ultimately, however this plays out, he will be transparent with the revenue generated by the levy, how it will be used, and that the voters will decide if they are going to support the levy.

EXECUTIVE SESSION:

- Personnel - compensation
- Real Estate

EXECUTIVE SESSION: On a motion of Commissioner Moran, seconded by Commissioner Troy, the Board convened an Executive Session at 10:42 am to discuss a personnel discipline issue, and a Real Estate issue with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 10:42 am.

The Lake County Board of Commissioners reconvened Executive Session at 10: 47 am.

On a motion of Commissioner Moran seconded by Commissioner Troy, the Board terminated the Executive Session at 10:53 am, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

The Board returned to open session to review the applications for Community Development Block Grant Funds, HOME program funds and to receive a recommendation from the Federal Grants Director Rhea Benton and the HOME program manager Marian Norman on proposed 2013 funding.

Administrator Jason Boyd introduced Scott Maloney of mbi-k2m to have an open forum with the Commissioners and the Sheriff regarding the results from a jail facilities analysis by mbi-k2m..

Mr. Maloney addressed the Board: Last time standing in front of you, we asked the question of what we should do, and suggested let's look at potential new building and brought in juvenile detention center too. I believe the team, after about 2 ½ months, has come to a firm conclusion on what needs to happen. It has been an incredible effort by many people to assemble the report you will receive. The Building as it exists today has substantial maintenance issues that would require \$18-20 million to make it usable for another 25 years. There are functional challenges in that it is not big enough, it is above capacity at this time. The jail population continues to rise. The state is trying to reduce the prison population and that is coming back to you.

The jail population is up fourfold compared to the county population.

We can forecast what will continue to happen for the next 20-25 years. We are anticipating 525-530 inmates in varying classifications. The current jail is not meeting the need, even with the use of the minimum security facility, it is cost prohibitive.

We need a building with the capacity for 550 inmates in different categories of incarceration. Some maximum. sec., some dorm type.

The Sheriff said [the need] isn't about poor design, it was functional but it had poor construction, never drained appropriately, the plumbing was not constructed properly, and had a poor contractor.

Mr. Maloney said within the facility, there would be 12-14 different types of housing. We don't have to build it as it looks today which is inflexible. We will specify half of the inmates to be housed in dorms rather than cells, which is less expensive as well to build.

We will revise what the jail and sheriff's office will look like, and the same evaluation was completed on juvenile detention. They are at capacity and they don't have the flexibility required for housing needs.

Mr. Maloney said the team has determined the best option is to build a new jail, renovate and build an addition on juvenile detention center. We can continue operations while under construction. All parties are on the same page.

Jason Boyd indicated that building a new juvenile facility would be \$10 million. The cost would be \$5 million for renovations and the addition. All believe this is the right idea.

Mr. Maloney said it costs more to operate a jail than it does to build a jail.

Commissioner Troy said additional shared uses are good selling points.

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Mr. Maloney said the jail has been operated very smartly. With additional housing requirements, we will also need additional 15 staff on the corrections officers side, but that would not be immediate. In 2017, we estimate the cost before opening the jail would be \$10.053 million, after opening, \$10.004 million in costs for maintenance, utilities, etc. because you gain efficiency. A new facility will cost you less at the start, you gain efficiency in utility, energy, you have staff sharing and functions and you don't have a big bump in costs. Let's call it cost-neutral.

\$61 million estimate. \$5million for Juvenile. \$1.8 million to take down building and redo parking lot.

Commissioner Moran asked how long it takes to build a new jail. Mr. Maloney estimated for this facility it would be about a 16-month project. He indicated he had 2% escalation costs built in to the figure.

The Sheriff confirmed that the estimate would be valid for up to five years, there will be little escalation.

Commissioner Troy estimated the total as \$70 million for everything. \$60 million bonded over 25 years is \$3.85 million, for a total of \$97million over 25 years, according to Budget Director Joel DiMare..

Mr. Maloney told the Board the reality is there is no other way to tell you nicely 'you need a new facility.'

Commissioner Aufuldish said that the remaining millage could be utilized for debt service.

Mr. Maloney said the estimates presented include contingencies, furniture, fixtures, equipment, testing, etc. It's a total package, less the cost of financing and county insurance and bonds. Mr. Maloney recommended bringing on a construction manager for the jail because of the size and complexity of the project.

The Sheriff commented that he was reading about building a jail with the premise of making it suitable for the community and not creating a monolith. You know better than I the importance of getting out in front so that the message is united. No one is happy with the prospect of having to take a building that's not that old and replacing it. Scott has done a nice job. This is not going to be a huge surge of prisoners or manpower.

Commissioner Troy inquired as to whether there is a situation where someone can say that we're "overjailed" for the northeast Ohio region, and should we instead buy space from other counties.

The Sheriff said then you have high transportation costs to ship the inmates elsewhere. We have alternative programs to lessen population-drug and alcohol programs mental health programs, re-entry programs,-we've looked at many programs. We've worked with the judges on sentences. The people in jail now are those who are failing the programs.

Commissioner Troy spoke about agreement on the location of the jail downtown. He discussed whether or not a regional effort should be considered, for example including Ashtabula County. The Sheriff indicated there is some overhead in the regional concept. The City of Painesville is not prone to join a larger program, they are looking to go in the other direction.

ADJOURN: On a motion of Commissioner Troy, seconded by Commissioner Moran, the Board adjourned the meeting at 12:16 pm, with the vote as follows:

"AYES": Commissioners: Aufuldish, Moran and Troy "NAYS": None

Minutes approved this twenty-ninth day of August, 2013.

BOARD OF LAKE COUNTY COMMISSIONERS

ROBERT E. AUFULDISH, PRESIDENT

JUDY MORAN, COMMISSIONER

DANIEL P. TROY, COMMISSIONER

AMY ELSZASZ, CLERK